

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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APR 27 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Ameritech Petition For Modification Of)
Certain LATA Boundaries In Ohio)
(Aurora, Northfield and Twinsburg)
Exchanges))

CC Docket No. 96-159 ✓
NSD File No. NSD-L-96-19

AT&T CORP. MOTION FOR EXTENSION OF TIME

Pursuant to Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, AT&T Corp. ("AT&T") hereby requests that the Commission extend the deadline for responses to the "Application of Ameritech" filed April 20, 1998 by seven days: from May 4, 1998 to May 11, 1998. As shown below, good cause exists for AT&T's motion, all parties to this proceeding have consented to it, and no party will be harmed in any way by the brief extension AT&T requests.

In its February 17, 1998 letter,¹ the Commission directed Ameritech to provide additional information in support of its November 12, 1996 petition to modify certain LATA boundaries in the state of Ohio. That letter ordered Ameritech to file its further submission within 60 days, or by April 20, 1998. AT&T and Western Reserve Telephone Company ("Western Reserve") were ordered to file their responses, if any,

¹ Letter from Geraldine A. Matisse, Chief, Network Services Division, Federal Communications Commission, to Alan N. Baker, Ameritech, February 17, 1998.

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within 14 days of Ameritech's submission. In addition, the letter ordered Ameritech to "serve a copy of its submission upon Western Reserve and AT&T."²

On April 27, 1998, which is also the date of this motion, AT&T obtained a copy of Ameritech's April 20th filing from the Commission's offices in Washington, D.C.³ As of the date of this motion, counsel for AT&T has not received a service copy of that pleading. Based on the "Certificate of Service" appended to Ameritech's April 20th submission, it appears that document was never properly served, but was simply mailed to AT&T's main corporate offices with no individual addressee specified.⁴ Because the copy of Ameritech's April 20th pleading which was served on AT&T apparently contained no indication of the individual (or even department) to whom it should be routed, AT&T's counsel received no notice of the contents of Ameritech's further submission until today, when AT&T obtained a copy of that document through its own efforts.

In light of Ameritech's failure properly to serve its further submission, and AT&T's inability to obtain a copy of that pleading until seven days after it was filed, good cause exists to extend the deadline for responses by AT&T and Western Reserve by seven days, until May 11, 1998. Such an extension would place AT&T in the same position it would have occupied had service been made in accordance with the Commission's February

² Id., p. 4.

³ AT&T attempted to obtain a copy of Ameritech's further submission from the Commission's offices prior to April 27th, but was unable to do so.

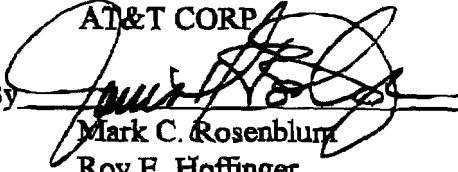
⁴ A copy of Ameritech's Certificate of Service is attached to this motion as Exhibit 1. See generally 47 C.F.R. § 1.47(d) ("When a party is represented by an attorney of record in a formal proceeding, service shall be made upon such attorney.").

17th letter. Indeed, failure to grant the requested extension would, in effect, reward Ameritech for failing to comply with the Commission's mandate that it serve AT&T.

Counsel for AT&T has contacted counsel for Ameritech, Mr. Alan Baker, and counsel for Western Reserve, Ms. Carolyn Hill. Both parties indicated that they would not oppose AT&T's motion. In addition, AT&T is serving both of those parties with a copy of the instant motion via facsimile and first class mail.

WHEREFORE, for the reasons stated above, AT&T respectfully requests that the Commission grant its request for an extension of time to file its response to Ameritech's April 20th submission until May 11, 1998.

Respectfully submitted,

AT&T CORP.
By 
Mark C. Rosenblum
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James H. Bolin, Jr.

Its Attorneys

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April 27, 1998

AT&T Exhibit 1

CERTIFICATE OF SERVICE

I, Edith Smith, do hereby certify that a copy of Application of Ameritech has been served on the parties below, via first class mail, postage prepaid, on this 20th day of April, 1998.

By: Edith Smith
Edith Smith *kas*

Tim Carney
Alltel Communications
50 Executive Parkway
Hudson, Ohio 44236

AT&T Corporation
295 North Maple Ave
Basking Ridge, NJ 07920

CERTIFICATE OF SERVICE

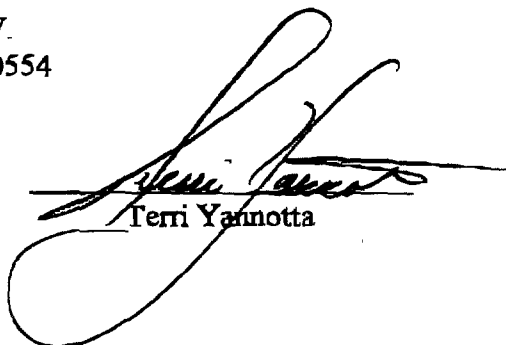
I, Terri Yannotta, do hereby certify that on this 27th day of April, 1998, a copy of the foregoing "AT&T Corp. Motion For Extension of Time" was served via facsimile, and mailed by U.S. first class mail, postage prepaid, to the parties listed below:

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Terri Yannotta

April 27, 1998

* Hand Delivery